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EXAMINER	
KHAN, SUHAIL	
ART UNIT	**PAPER NUMBER**
2686	

DATE MAILED: 11/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/642,627	STEFANI ET AL.	
	Examiner	Art Unit	
	Suhail Khan	2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 August 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 3-6, 8-12, 19-20, 22-24 and 27-28 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent App. Pub. No. 2003/0003872 to Brinkley et al, in view of International Patent Pub. No. WO 01/03437 to Albanesi et al.

Referring to **claim 1**, Brinkley et al disclose a communication system for communicating messages between an aircraft and a remote operations center (page 2, paragraph 17, wirelessly communicating the data from the aircraft data services link to the data communication apparatus; page 3, paragraph 28, data communication apparatus can be external), comprising: at least one portable control and display unit that is usable onboard an aircraft to transmit and receive at least one of data communication, voice communication and video communication (page 3, paragraph 30, portable data communication apparatus onboard the aircraft; page 5, paragraph 56, any one of various devices); an Aircraft Communication and Reporting System (ACARS) transceiver located on the aircraft (page 3, paragraph 29, ACARS) to receive from and transmit to the portable control and display unit the at least one of data communication, voice communication and video communication (page 2, paragraph 17, wirelessly communicating the data from the aircraft data services link to the data communication apparatus; page 3, paragraph 30, portable data communication apparatus onboard the aircraft); wherein a user employs the at least one portable control and display unit to transmit messages to and receive messages from a remote

operations center via the ACARS transceiver communicating through a VHF radio onboard the aircraft, the messages comprising the at least one of data communication, voice communication or video communication (page 3, paragraph 30, transmitting a receiving data to and from one or more data communication apparatus; page 3, paragraph 28, data communication apparatus can be external; page 3, paragraph 30, portable data communication apparatus onboard the aircraft; page 3, paragraph 29, ACARS; page 5, paragraph 56, connection from aircraft/ground network client to any other aircraft/ground network client in a user-defined infrastructure, connectivity media includes VHF radio). Brinkley et al do not disclose at least one peripheral device located on the aircraft.

However, Albanesi et al show wireless transmission of video data from on-board video sensors to receivers located in the cockpit or at other remote locations (page 4, lines 17-20).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Brinkley et al to show a communication system for communicating messages between an aircraft and a remote operations center, comprising: at least one portable control and display unit that is usable onboard an aircraft to transmit and receive at least one of data communication, voice communication and video communication; an Aircraft Communication and Reporting System (ACARS) transceiver located on the aircraft to receive from and transmit to the portable control and display unit the at least one of data communication, voice communication and video communication and at least one peripheral device located on the aircraft; wherein a user employs the at least one portable control and display unit to transmit messages to and receive messages from a remote operations center via the ACARS transceiver communicating through a VHF radio onboard the aircraft, the messages

comprising the at least one of data communication, voice communication or video communication, as taught by Albanesi et al, the motivation being observing those parts of the aircraft that cannot be seen from the cockpit (Albanesi et al, Abstract).

Referring to **claim 3**, Brinkley et al disclose the communication system according to claim 1, wherein the at least one portable control and display unit is configured to transmit messages from the aircraft while in flight (page 3, paragraph 30, wirelessly transmitting and receiving data to and from one or more data communication apparatus; portable data communication apparatus onboard the aircraft).

Referring to **claim 4**, Brinkley et al disclose the communication system according to claim 1, wherein messages comprise voice communication (page 3, paragraph 30, wirelessly transmitting and receiving data to and from one or more data communication apparatus; portable data communication apparatus onboard the aircraft; page 5, paragraph 56, cell phones).

Referring to **claim 5**, Brinkley et al disclose the communication system according to claim 4, wherein the at least one portable control and display unit is configured to transmit voice communication from the aircraft while in flight (page 3, paragraph 30, wirelessly transmitting and receiving data to and from one or more data communication apparatus; portable data communication apparatus onboard the aircraft; page 5, paragraph 56, cell phones).

Referring to **claim 6**, Brinkley et al disclose the communication system according to claim 1 (page 2, paragraph 17, wirelessly communicating the data from the aircraft data services link to the data communication apparatus). Brinkley et al do not disclose that the messages comprise video communication, the video communication comprising at least one of a real-time video stream or single frames of video image.

However, Albanesi et al show wireless transmission of video data from on-board video sensors to receivers located in the cockpit or at other remote locations (page 4, lines 17-20) and also show use of video for normal, abnormal and emergency operations (page 14, lines 2-10; it is inherent that these operations require real-time video; also, it is inherent that digital format video entails single frame transmission).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Brinkley et al to show the communication system wherein the messages comprise video communication, the video communication comprising at least one of a real-time video stream or single frames of video image, as taught by Albanesi et al, the motivation being observing those parts of the aircraft that cannot be seen from the cockpit (Albanesi et al, Abstract).

Referring to **claim 8**, Brinkley et al disclose the communication system (page 2, paragraph 17, wirelessly communicating the data from the aircraft data services link to the data communication apparatus) according to claim 6 and end-to-end communication connectivity media including digital broadband (page 5, paragraph 56, digital broadband). Brinkley et al do not disclose real-time video stream includes streaming video and single frames.

However, Albanesi et al show wireless transmission of video data from on-board video sensors to receivers located in the cockpit or at other remote locations (page 4, lines 17-20); multiplexing various video signals for digital recording (page 3, lines 5-10) and also show use of video for normal, abnormal and emergency operations (page 14, lines 2-10; it is inherent that these operations require real-time video; also, it is inherent that digital format video entails single frame transmission).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Brinkley et al to show the communication system, wherein the real-time video stream includes streaming video and single frames, as taught by Albanesi et al, the motivation being observing those parts of the aircraft that cannot be seen from the cockpit (Albanesi et al, Abstract).

Referring to **claim 9**, Brinkley et al disclose the communication system (page 2, paragraph 17, wirelessly communicating the data from the aircraft data services link to the data communication apparatus) according to claim 1, wherein the at least one portable control and display unit on board the aircraft is configured to function as a cellular telephone (page 3, paragraph 30, portable data communication apparatus onboard the aircraft such as those used by maintenance personnel; page 5, paragraph 56, maintenance crew using cell phones).

Referring to **claim 10**, Brinkley et al disclose the communication system (page 2, paragraph 17, wirelessly communicating the data from the aircraft data services link to the data communication apparatus) according to claim 1, further comprising a SATCOM radio (page 3, paragraph 28, SATCOM).

Referring to **claim 11**, Brinkley et al disclose the communication system (page 2, paragraph 17, wirelessly communicating the data from the aircraft data services link to the data communication apparatus) according to claim 10, wherein the ACARS transceiver switches (page 3, paragraph 29, ACARS) to the SATCOM radio when the VHF radio is not communicating with the remote operations center (page 3, paragraph 28, VHF radio or SATCOM).

Referring to **claim 12**, Brinkley et al disclose the communication system (page 2, paragraph 17, wirelessly communicating the data from the aircraft data services link to the data communication apparatus) according to claim 1, wherein the ACARS transceiver (page 3, paragraph 29, ACARS) transmits and receives a signal over an existing communication network (page 2, paragraph 17, wirelessly communicating the data from the aircraft data services link to the data communication apparatus).

Referring to **claim 19**, Brinkley et al disclose the communication system (page 2, paragraph 17, wirelessly communicating the data from the aircraft data services link to the data communication apparatus) according to claim 1, wherein the messages are encrypted (page 7, paragraph 70, Smart Access Recorder).

Referring to **claim 20**, Brinkley et al disclose a method for communicating messages between an aircraft and a remote operations center (page 2, paragraph 17, wirelessly communicating the data from the aircraft data services link to the data communication apparatus; page 3, paragraph 28, data communication apparatus can be external), comprising employing a portable control and display unit onboard an aircraft to send and receive messages that include at least one of data communication, voice communication or video communication to an ACARS transceiver onboard the aircraft (page 3, paragraph 30, portable data communication apparatus onboard the aircraft; page 3, paragraph 29 and figure 1, ACARS); and automatically transmitting messages received from the portable control and display unit via the ACARS transceiver to a remote operations center; and automatically retransmitting messages received from a remote operations center via the ACARS transceiver to the portable control and display unit (page 3, paragraph 30, portable data communication apparatus onboard the aircraft; page 3, paragraph 28,

data communication apparatus can be external; page 3, paragraph 30, wirelessly transmitting receiving data to and from one or more data communication apparatus; page 3, paragraph 29 and figure 1, ACARS).

Referring to **claim 22**, Brinkley et al disclose the method according to claim 20, wherein the portable control and display unit (page 3, paragraph 30, portable data communication apparatus onboard the aircraft) sends messages to and receives messages from another portable control and display unit onboard the aircraft (page 3, paragraph 30, portable data communication apparatus onboard the aircraft; wirelessly transmitting receiving data to and from one or more data communication apparatus).

Referring to **claim 23**, Brinkley et al disclose the method according to claim 20, wherein the portable control and display unit (page 3, paragraph 30, portable data communication apparatus onboard the aircraft) sends and receives positional information concerning the location of the aircraft while airborne (figure 1, 24 - GPWS).

Referring to **claim 24**, Brinkley et al disclose the method according to claim 23, wherein the positional information further comprises data regarding other aircraft in the vicinity (figure 1, 24 - GPWS).

Referring to **claim 27**, Brinkley et al disclose the method according to claim 30 (page 2, paragraph 17, wirelessly communicating the data from the aircraft data services link to the data communication apparatus), portable control and display unit and end-to-end connection from the aircraft/ground network client to any other aircraft/ground network client utilizing various devices (page 3, paragraph 30, portable data communication apparatus onboard the aircraft; page

5, paragraph 56, any one of various devices). Brinkley et al do not disclose displaying the streaming video on the portable control and display unit.

However, Albanesi et al show wireless transmission of video data from on-board video sensors to receivers located in the cockpit or at other remote locations (page 4, lines 17-20).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Brinkley et al to show that the video communication further comprising displaying a streaming video, as taught by Albanesi et al, the motivation being observing those parts of the aircraft that cannot be seen from the cockpit (Albanesi et al, Abstract).

Referring to **claim 28**, Brinkley et al disclose the method according to claim 27 entailing transmission to the remote operations center (page 2, paragraph 17, wirelessly communicating the data from the aircraft data services link to the data communication apparatus; page 3, paragraph 28, data communication apparatus can be external). Brinkley et al do not disclose selecting a single video frame from the streaming video to be transmitted as the video communication to the remote operations center.

However, Albanesi et al show wireless transmission of video data from on-board video sensors to receivers located in the cockpit or at other remote locations (page 4, lines 17-20); multiplexing various video signals for digital recording (page 3, lines 5-10) and also show use of video for normal, abnormal and emergency operations (page 14, lines 2-10; it is inherent that these operations require streaming video; also, it is inherent that digital format video entails single frame transmission).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Brinkley et al to show selecting a single video frame from the streaming

video to be transmitted as the video communication to the remote operations center, as taught by Albanesi et al, the motivation being observing those parts of the aircraft that cannot be seen from the cockpit (Albanesi et al, Abstract).

3. Claim 7, 13-17 and 29-30 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent App. Pub. No. 2003/0003872 to Brinkley et al in view of International Patent Pub. No. WO 01/03437 to Albanesi et al and further in view of U.S. Patent No. 6393297 to Song.

Referring to **claim 7**, Brinkley et al disclose the communication system (page 2, paragraph 17, wirelessly communicating the data from the aircraft data services link to the data communication apparatus) according to claim 6 and a portable control and display unit is configured to transmit messages from the aircraft while in flight (page 3, paragraph 30, wirelessly transmitting and receiving data to and from one or more data communication apparatus; portable data communication apparatus onboard the aircraft). Brinkley et al do not disclose that the portable control and display unit is configured to transmit the at least one of a real-time video stream or single frames of video image from the aircraft while in flight.

However, Albanesi et al show wireless transmission of video data from on-board video sensors to receivers located in the cockpit or at other remote locations (page 4, lines 17-20) and also show use of video for normal, abnormal and emergency operations (page 14, lines 2-10; it is inherent that these operations require real-time video; also, it is inherent that digital format video entails single frame transmission). Song shows a mobile terminal controlling an external appliance (col 1, lines 36-40).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Brinkley et al to show the communication system wherein at least one

portable control and display unit is configured to transmit the at least one of a real-time video stream or single frames of video image from the aircraft while in flight, as taught by Albanesi et al and Song, the motivation being observing those parts of the aircraft that cannot be seen from the cockpit (Albanesi et al, Abstract) and the ability to remotely control an external appliance in a cost-effective manner (Song, col 1, lines 35-45).

Referring to **claim 13**, Brinkley et al disclose the communication system (page 2, paragraph 17, wirelessly communicating the data from the aircraft data services link to the data communication apparatus) according to claim 1, with a portable control and display unit onboard the aircraft (page 3, paragraph 30, portable data communication apparatus onboard the aircraft). Brinkley et al do not disclose that the control and display device controls at least one of the movement and the functions of the peripheral device.

However, Song shows a mobile terminal controlling an external appliance (col 1, lines 36-40).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Brinkley et al to show the communication system wherein the control and display device controls at least one of the movement and the functions of the peripheral device, as taught by Song, the motivation being the ability to remotely control an external appliance in a cost-effective manner (Song, col 1, lines 35-45).

Referring to **claim 14**, Brinkley et al disclose the communication system (page 2, paragraph 17, wirelessly communicating the data from the aircraft data services link to the data communication apparatus) according to claim 13. Brinkley et al do not disclose that the peripheral device comprises a camera.

However, Albanesi et al show onboard cameras (page 5, lines 9-10) and Song shows a mobile terminal controlling an external appliance (col 1, lines 36-40).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Brinkley et al to show the communication system, wherein the peripheral device comprises a camera, as taught by Albanesi et al and Song, the motivation being observing those parts of the aircraft that cannot be seen from the cockpit (Albanesi et al, Abstract) and the ability to remotely control an external appliance in a cost-effective manner (Song, col 1, lines 35-45).

Referring to **claim 15**, Brinkley et al disclose the communication system (page 2, paragraph 17, wirelessly communicating the data from the aircraft data services link to the data communication apparatus) according to claim 14 and a control and display unit onboard the aircraft (page 3, paragraph 30, portable data communication apparatus onboard the aircraft). Brinkley et al do not disclose that the control and display unit controls the camera movement.

However, Albanesi et al show the controller in the cockpit having several preset positions to which the cameras can be automatically commanded (page 4, lines 15-20) and Song shows a mobile terminal controlling an external appliance (col 1, lines 36-40).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Brinkley et al to show the communication system, wherein the control and display unit controls the camera movement, as taught by Albanesi et al and Song, the motivation being observing those parts of the aircraft that cannot be seen from the cockpit (Albanesi et al, Abstract) and the ability to remotely control an external appliance in a cost-effective manner (Song, col 1, lines 35-45).

Referring to **claim 16**, Brinkley et al disclose the communication system (page 2, paragraph 17, wirelessly communicating the data from the aircraft data services link to the data communication apparatus) according to claim 13. Brinkley et al do not disclose that the peripheral device is located in a cockpit of the aircraft.

However, Albanesi et al show cameras in the cockpit (page 3, lines 5-8).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Brinkley et al to show the communication system wherein the peripheral device is located in a cockpit of the aircraft, as taught by Albanesi et al, the motivation being recording the flight crew's actions and instrument readings (Albanesi et al, lines 5-8).

Referring to **claim 17**, Brinkley et al disclose the communication system (page 2, paragraph 17, wirelessly communicating the data from the aircraft data services link to the data communication apparatus) according to claim 13. Brinkley et al do not disclose that the peripheral device is located in a cabin of the aircraft.

However, Albanesi et al show onboard cameras (page 5, lines 9-10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Brinkley et al to show the communication system wherein the peripheral device is located in a cabin of the aircraft, as taught by Albanesi et al, the motivation being observing those parts of the aircraft that cannot be seen from the cockpit (Albanesi et al, Abstract).

Referring to **claim 29**, Brinkley et al disclose the method according to claim 20 (page 2, paragraph 17, wirelessly communicating the data from the aircraft data services link to the data communication apparatus) and a portable control and display unit (page 3, paragraph 30,

portable data communication apparatus onboard the aircraft). Brinkley et al do not disclose at least one peripheral device located at least one of on or in the aircraft with the portable control and display unit.

However, Albanesi et al show wireless transmission of video data from on-board video sensors to receivers located in the cockpit or at other remote locations (page 4, lines 17-20) and Song shows a mobile terminal controlling an external appliance (col 1, lines 36-40).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Brinkley et al to show at least one peripheral device located at least one of on or in the aircraft with the portable control and display unit, as taught by Albanesi et al and Song, the motivation being observing those parts of the aircraft that cannot be seen from the cockpit (Albanesi et al, Abstract) and the ability to remotely control an external appliance in a cost-effective manner (Song, col 1, lines 35-45).

Referring to **claim 30**, Brinkley et al disclose the method according to claim 20 (page 2, paragraph 17, wirelessly communicating the data from the aircraft data services link to the data communication apparatus). Brinkley et al do not disclose that the at least one peripheral device comprises at least one video camera, and further comprising obtaining the video communication from at least one video camera peripheral device, wherein the video communication comprises a streaming video.

However, Albanesi et al show wireless transmission of video data from on-board video sensors to receivers located in the cockpit or at other remote locations (page 4, lines 17-20) and also show use of video for normal, abnormal and emergency operations (page 14, lines 2-10; it is

inherent that these operations require real-time video; also, it is inherent that digital format video entails single frame transmission).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Brinkley et al to show that the at least one peripheral device comprises at least one video camera, and further comprising obtaining the video communication from at least one video camera peripheral device, wherein the video communication comprises a streaming video, as taught by Albanesi et al, the motivation being observing those parts of the aircraft that cannot be seen from the cockpit (Albanesi et al, Abstract)

4. Claims 18 and 25-26 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent App. Pub. No. 2003/0003872 to Brinkley et al, in view of U.S. Patent App. Pub. No. 2004/0008253 to Monroe.

Referring to **claim 18**, Brinkley et al disclose the communication system (page 2, paragraph 17, wirelessly communicating the data from the aircraft data services link to the data communication apparatus) according to claim 1. Brinkley et al do not disclose at least one panic button located at least one of in or on the aircraft and configured to alert the system of a threat condition.

However, Monroe discloses panic buttons installed throughout the aircraft and may trigger transmission of live video (page 9, paragraph 90).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Brinkley et al to show the communication system further comprising a panic button located at least one of in or on the aircraft and configured to alert the system of a threat condition, as taught by Monroe, the motivation being to initiate an alert (page 5, paragraph 48).

Referring to **claim 25**, Brinkley et al disclose the method according to claim 20 (page 2, paragraph 17, wirelessly communicating the data from the aircraft data services link to the data communication apparatus). Brinkley et al do not disclose that the portable control and display unit sends and receives a sensor condition input from a physical contact sensor on the aircraft.

However, Monroe discloses wireless panic buttons (page 5, paragraph 48). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Brinkley et al to show that the portable control and display unit sends and receives a sensor condition input from a physical contact sensor on the aircraft, as taught by Monroe, the motivation being to initiate an alert (page 5, paragraph 48).

Referring to **claim 26**, Brinkley et al disclose the method according to claim 25 (page 2, paragraph 17, wirelessly communicating the data from the aircraft data services link to the data communication apparatus). Brinkley et al do not disclose that the physical contact sensor further comprises at least one of a panic button, a fire detector or a door contact in the aircraft.

However, Monroe discloses panic buttons (page 5, paragraph 48).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Brinkley et al to show that the physical contact sensor further comprises at least one of a panic button, a fire detector or a door contact in the aircraft, as taught by Monroe, the motivation being to initiate an alert (page 5, paragraph 48).

Response to Arguments

5. Applicant's arguments with respect to claims 1-30 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suhail Khan whose telephone number is (571) 272-7910. The examiner can normally be reached on M-F from 8 am to 4:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold, can be reached at (571) 272-7905.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

sk

CHARLES APPIAH
PRIMARY EXAMINER